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EXAMINER	
VAN DOREN, BETH	

ART UNIT	PAPER NUMBER
3623	

DATE MAILED: 06/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/620,771	MEREDITH ET AL.	
	Examiner	Art Unit	
	Beth Van Doren	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02/27/06,which is BPAI decision*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-40,42-46 and 48-52* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-40,42-46 and 48-52* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *20060215*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. The following is a non-final office action in response to the decision rendered by the Board of Patent Appeals and Interferences on 02/27/2006. In light of decision, prosecution has been reopened in regard to claims 1-40, 42-46, and 48-52.

Claims 1-40, 42-46, and 48-52 are now pending and addressed below.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 5, 7-13, 15, 17-23, 25, 27-34, 36, 38-40, 42-46, and 48-52 are rejected under 35 U.S.C. 102(b) as being anticipated by Schloss et al. (U.S. 5,962,125).

As per claim 11, Schloss et al. discloses a method of executing a schedule, the schedule comprising a schedule state, at least one transaction having an action associated therewith, the action having a latency attribute associated therewith, the method comprising:

initiating the action according to the schedule (See figure 2, column 2, lines 28-50, column 4, lines 40-50 and 60-65, column 9, lines 20-25, column 13, lines 20-30, wherein an event associated with the schedule is initiated to be performed);

comparing the latency attribute with a latency threshold (See column 2, lines 28-50, column 4, lines 20-25 and 40-50, column 6, lines 60-67, column 9, lines 1-25, column 13, lines 35-60, wherein the latency attribute is compared to a latency threshold (i.e. a value of the event with values that must be met to allow the event to occur));

selectively storing the schedule state in a storage medium based on the latency comparison (See column 5, lines 25-45, column 9, lines 23-35, wherein information concerning the event is stored).

As per claim 12, Schloss et al. teaches creating an association between the stored schedule state and a signal (See figure 2, column 6, lines 60-column 7, line 10, column 8, lines 27-45, column 9, lines 10-35, wherein there is an association between the stored state of the schedule, such as an event waiting, being postponed, or rescheduled, and a signal that checks the event's conditions and sets the event to occur).

As per claim 13, Schloss et al. teaches suspending execution of the schedule based on the latency comparison (See column 2, lines 28-50, column 8, lines 30-46, column 9, lines 1-25, column 13, lines 35-60, wherein the execution of the schedule is postponed based on the criteria not being met).

As per claim 15, Schloss et al. teaches selectively resuming execution of the schedule based on the signal (See column 8, lines 30-46, column 9, lines 25-35, wherein the postponement allows the schedule events to resume at a later scheduled time).

As per claim 17, Schloss et al. teaches wherein the schedule includes a plurality of actions and at least one of the actions has an associated latency attribute (See figure 2, column 2, lines 28-50, column 4, lines 20-25 and 40-50, column 6, lines 60-67, column 9, lines 1-25, column 13, lines 35-60, wherein the schedule has a plurality of events that require the checking of conditions against thresholds (i.e. a value of the event with values that must be met to allow the event to occur)).

As per claim 18, Schloss et al. teaches wherein the latency attribute represents an estimated latency for completion of the associated action (See column 2, lines 28-50, column 3, lines 20-30, column 8, lines 30-46, column 9, lines 20-40, wherein actions have estimated times to completion that affect the timing of other related actions in the schedule).

As per claim 19, Schloss et al. teaches adjusting at least one of the latency attributes according to a variable (See column 2, lines 28-50, column 8, lines 28-45, column 9, lines 15-40, wherein the time to be performed is adjusted based on variances occurring in preceding tasks).

As per claim 20, Schloss et al. teaches wherein the variable is related to an actual latency for completion of the associated action (See figure 2, column 6, lines 60-column 7, line 10, column 8, lines 27-45, column 9, lines 10-35, wherein there is a variable wait interval related to a subsequent action and once the actual latency (i.e. wait) of the action is known, the other action's start time can be set).

As per claim 21, Schloss et al. teaches wherein the latency attributes have a class associated therewith, and wherein the class indicates a group of actions (See column 4, lines 20-42, column 5, lines 45-65, column 6, line 60-column 7, line 10, column 8, lines 28-46, column 9, lines 20-25, wherein there are different type of attributes (i.e. conditions) that are checked, wherein different actions occur based on the different types of adjustments made based on the attribute).

As per claim 22, Schloss et al. teaches providing a plurality of latency thresholds, wherein each latency threshold has a class associated therewith, and selectively comparing a latency attribute with a latency threshold having the same class upon initiating the action associated with the latency attribute (See figure 2, column 2, lines 28-50, column 4, lines 20-25

and 40-50, column 6, lines 60-67, column 9, lines 1-25, column 13, lines 35-60, wherein the schedule has a plurality of events that require the checking against thresholds (i.e. a value of the event with values that must be met to allow the event to occur)).

As per claim 23, Schloss et al. teaches adjusting at least one of the latency thresholds based on a variable (See figure 2, column 2, lines 28-50, column 4, lines 20-25 and 40-50, column 6, lines 60-67, column 9, lines 1-25, column 13, lines 35-60, wherein the previous action is not quite complete, so the threshold is moved since the subsequent action is postponed/rescheduled).

Claim 25 recites substantially similar limitations to claim 23 and is therefore rejected using the same art and rationale set forth above.

As per claim 27, Schloss et al. teaches wherein the schedule state comprises a schedule location and active data (See column 2, lines 30-50, column 3, lines 20-42, column 5, lines 15-45, column 8, lines30-45, wherein the schedule is stored in the database of the system and contains active, dynamic data).

As per claim 28, Schloss et al. teaches wherein the action has a compensation parameter associated therewith, further comprising selectively compensating the action based on the compensation parameter, a transaction boundary within the schedule, and a state associated with another action within the schedule (See column 4, lines 20-42, column 5, lines 45-65, column 6, line 60-column 7, line 10, column 8, lines 28-46, column 9, lines 20-25, wherein adjustment parameters are used to make up for delays, etc. in preceding actions by moving the subsequent action. The moving of an action is caused by an operating boundary (i.e. a previous task must be completed before the next is started), an adjustment rule, and the state the preceding action is in).

As per claim 29, Schloss et al. teaches selectively compensating a first action according to a transaction boundary within the schedule and a compensation parameter associated with the first action, based on abortion of a second action within the schedule (See column 2, lines 30-45, column 5, lines 25-45, column 8, lines 35-50, column 9, lines 20-35, wherein subsequent actions to the first action can be canceled, and the information associated with the first action is compensated. See column 5, lines 30-35, column 6, lines 25-35, wherein the first action is adjusted to have a null value).

Claims 1-3, 5, 7-8, 9, and 10 recite equivalent limitations to claims 11-13, 15, 19-20, 11, and 25, respectively, and are therefore rejected using the same art and rationale set forth above.

As per claim 30, Schloss et al. teaches a method of executing a schedule, the schedule comprising a schedule state, at least one transaction with an action associated therewith, the method comprising:

initializing an action within the schedule (See figure 2, column 2, lines 28-50, column 4, lines 40-50 and 60-65, column 9, lines 20-25, column 13, lines 20-30, wherein an event associated with the schedule is initiated to be performed);

comparing a latency attribute associated with the action and a latency threshold (See column 2, lines 28-50, column 4, lines 20-25 and 40-50, column 6, lines 60-67, column 9, lines 1-25, column 13, lines 35-60, wherein the latency attribute is compared to a latency threshold (i.e. a value of the event with values that must be met to allow the event to occur));

executing the action if the latency attribute does not exceed the latency threshold (See column 2, lines 28-46, wherein the action is executed if all conditions are met);

dehydrating the schedule if the latency attribute exceeds the latency threshold (See column 2, lines 28-46, column 8, lines 30-46, column 9, lines 1-25, column 13, lines 35-60, wherein the action is postponed/delayed/rescheduled because a threshold was violated).

Claims 32-34 and 36 are computer-readable medium versions of the method of claims 1-3 and 5, respectively. Since the disclosure of Schloss et al. is embodied on a computer-readable medium, claims 32-34 and 36 are rejected using the same art and rationale as relied upon in the rejection of claims 1-3 and 5, respectively.

As per claims 38 and 39, claims 38 and 39 are computer-readable medium versions of the method of claims 28 and 29, respectively. Since the disclosure of Schloss et al. is embodied on a computer-readable medium, claims 38 and 39 are rejected using the same art and rationale as relied upon in the rejection of claims 28 and 29, respectively.

As per claim 40, Schloss et al. discloses a method of executing a transaction having an associated transaction boundary and an action, wherein the action has an action state and a compensation parameter associated therewith, the method comprising:

recognizing a transaction boundary associated with the transaction (See column 4, lines 20-42, column 5, lines 45-65, column 6, line 60-column 7, line 10, column 10, lines 35-60, wherein operating boundaries (i.e. certain procedures must be completed before the next is started, certain days that are not allowed for scheduling) are recognized by the system); and

selectively compensating at least a first action according to the transaction boundary and the compensation parameter based on abortion of a second action (See column 2, lines 30-45, column 5, lines 25-45, column 8, lines 35-50, column 9, lines 20-35, wherein subsequent actions to the first action can be canceled, and the information associated with the first action is

compensated. See column 5, lines 30-35, column 6, lines 25-35, wherein the first action is adjusted to have a null value).

As per claim 42, Schloss et al. teaches selectively compensating at least a first action according to the transaction boundary and the compensation parameter upon abortion of a second action, and further according to the action state associated with the first action (See column 2, lines 30-45, column 5, lines 25-45, column 8, lines 35-50, column 9, lines 20-35, wherein subsequent actions to the first action can be canceled, and the information associated with the first action is compensated. See column 5, lines 30-35, column 6, lines 25-35, wherein the first action is adjusted to have a null value).

As per claim 43, Schloss et al. discloses selectively compensating at least a first action according to the transaction boundary and the compensation parameter upon abortion of a second action, if the first action has committed (See column 2, lines 30-45, column 5, lines 25-45, column 8, lines 35-50, column 9, lines 20-35, wherein subsequent actions to the first action can be canceled, and the information associated with the first action is compensated. See column 5, lines 30-35, column 6, lines 25-35, wherein the first action is adjusted to have a null value).

As per claim 44, Schloss et al. teaches wherein the compensation step further comprises instantiating at least one object (See column 2, lines 45-56, column 5, lines 18-27 and 45-60, wherein templates are used to create real instances of workflow).

As per claim 45, Schloss et al. teaches wherein the compensation step further comprises sending a message (See column 2, lines 5-25, column 9, lines 40-50, wherein a message notifies of a compensation/altering).

As per claim 46, Schloss et al. discloses a computer-readable medium having computer-executable instructions for:

executing a schedule, the schedule comprising a schedule state, at least one action, and at least one transaction with an associated transaction boundary, the action including an action state and a compensation parameter associated therewith (See column 4, lines 20-42, column 5, lines 45-65, column 6, line 60-column 7, line 10, column 8, lines 28-46, column 9, lines 20-25, wherein a schedule is executed. Adjustment parameters are used to make up for delays, etc. in preceding actions by moving the subsequent action. The moving of an action is caused by an operating boundary (i.e. a previous task must be completed before the next is started), an adjustment rule, and the state the preceding action is in);

recognizing the transaction boundary within the schedule (See column 4, lines 20-42, column 5, lines 45-65, column 6, line 60-column 7, line 10, column 10, lines 35-60, wherein operating boundaries (i.e. certain procedures must be completed before the next is started, certain days that are not allowed for scheduling) are recognized by the system); and

selectively compensating at least a first action within the schedule according to a transaction boundary within the schedule, and a compensation parameter associated with the first action based on abortion of a second action (See column 2, lines 30-45, column 5, lines 25-45, column 8, lines 35-50, column 9, lines 20-35, wherein subsequent actions to the first action can be canceled, and the information associated with the first action is compensated. See column 5, lines 30-35, column 6, lines 25-35, wherein the first action is adjusted to have a null value).

Claims 48-49 are computer-readable medium versions of the method of claims 42-43, respectively. Since the disclosure of Schloss et al. is embodied on a computer-readable medium,

claims 48-49 are rejected using the same art and rationale as relied upon in the rejection of claims 42-43, respectively.

As per claim 50, Schloss et al. discloses wherein the at least one action includes a latency attribute, and having further computer-executable instructions for selectively storing the schedule state to a storage medium based on a comparison of the latency attribute with a latency threshold (See column 2, lines 28-50, column 4, lines 20-25 and 40-50, column 6, lines 60-67, column 9, lines 1-25, column 13, lines 35-60, wherein the latency attribute is compared to a latency threshold (i.e. a value of the event with values that must be met to allow the event to occur). See also column 5, lines 25-45, column 9, lines 23-35, wherein information concerning the event is stored.

As per claim 51, Schloss et al. teaches a schedule having a schedule state, an action with an associated action state, and at least one transaction with a transaction boundary, a compensation parameter, a compensation routine, and a transaction state associated therewith, a method of selectively compensating the transaction during the execution of a schedule comprising: determining the action state of an action (See column 2, lines 30-50, column 3, lines 20-42, column 5, lines 15-45, column 8, lines 30-45, column 9, lines 20-25, column 13, lines 20-30, wherein the state of an action is determined);

if the action state is aborted, determining the relationship of the action and the transaction based on a transaction boundary (See column 2, lines 30-45, column 5, lines 25-45, column 8, lines 35-50, column 9, lines 20-35, wherein actions have associated transactions. See also column 5, lines 30-35, column 6, lines 25-35);

if the action state is aborted, and if the action and transaction are related according to the transaction boundary, determining the transaction state of the transaction (See column 2, lines 30-45, column 5, lines 25-45, column 8, lines 35-50, column 9, lines 20-35, wherein the conditions to occur of the transactions are determined for execution. See column 5, lines 30-35, column 6, lines 25-35);

if the action state is aborted and if the action and the transaction are related according to the transaction boundary, and if the transaction state is committed, performing an operation according to the compensation routine associated with the transaction (See column 2, lines 30-45, column 5, lines 25-45, column 8, lines 35-50, column 9, lines 20-35, wherein subsequent actions to the first action can be canceled, and the information associated with the first action is compensated. See column 5, lines 30-35, column 6, lines 25-35, wherein the first action is adjusted to have a null value).

As per claim 52, Schloss et al. teaches a schedule having a schedule state, first and second transactions with associated transaction boundaries, transactions stated, compensation parameters, and compensation routines, and first and second actions with associated action states, compensation parameters, and compensation routines, a method of selectively compensating a first action or transaction during the execution of a schedule comprising:

determining the state of one of the second action and the second transaction (See column 2, lines 30-50, column 3, lines 20-42, column 5, lines 15-45, column 8, lines 30-45, column 9, lines 20-25, column 13, lines 20-30, wherein the state of the second action is determined);

if the state of one of the second action and the second transaction is aborted, determining the relationship of the first action and the transaction with the second action and transaction

based on a transaction boundary (See column 2, lines 30-45, column 5, lines 25-45, column 8, lines 35-50, column 9, lines 20-35, wherein actions have associated transactions, and when the second action is canceled or postponed, a relationship between the first action, second action, and transaction are determine. See also column 5, lines 30-35, column 6, lines 25-35);

if the state of one of the second action and the second transaction is aborted, and one of the first action and transaction are related to one of the second action and transaction according to the transaction boundary, determining the state of one of the first action and transaction (See column 2, lines 30-45, column 5, lines 25-45, column 8, lines 35-50, column 9, lines 20-35, wherein the conditions to occur of the transactions are determined for execution. See column 5, lines 30-35, column 6, lines 25-35); and

if the state of one of the second action and the second transaction is aborted and if one of the first action and transaction are related to one of the second action and the transaction according to the transaction boundary, and if the state of one of the first action and transaction is committed, performing an operation according to the compensation routine associated with one of the first action and transaction (See column 2, lines 30-45, column 5, lines 25-45, column 8, lines 35-50, column 9, lines 20-35, wherein subsequent actions to the first action can be canceled, and the information associated with the first action is compensated. See column 5, lines 30-35, column 6, lines 25-35, wherein the first action is adjusted to have a null value).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 4, 14, 31, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schloss et al. (U.S. 5,962,125) in view of Srinivasan (U.S. 5,548,506).

As per claim 14, Schloss et al. teaches resources being associated with actions to be completed in the schedule and the ability to cancel or postpone an action of the schedule (See column 10, lines 35-55, which discloses resources associated with actions. See also column 2, lines 30-45, column 5, lines 25-45, column 8, lines 35-50, column 9, lines 20-35, wherein the action is postponed or canceled. This change is stored in the system). However, Schloss et al. does not expressly disclose selectively de-allocating resources associated with the schedule and/or the canceled actions.

Srinivasan teaches a method further comprising selectively de-allocating resources associated with the schedule after storing the schedule state in the storage medium (See column 3, lines 14-32, column 5, lines 62-67, column 6, lines 1-15, column 7, lines 1-3 and 55-67, and column 8, lines 1-5, wherein resources are de-allocated from one task and put with another).

Both Srinivasan and Schloss et al. disclose managing a schedule of tasks/actions that impact subsequent and previous tasks/actions. Schloss et al. discloses resources needed for tasks and the ability to cancel and postpone actions. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to de-allocating resources associated with the canceled action in order to more efficiently allow the scheduler to account for changes needed in the schedule, as discussed in column 2, lines 5-25, of Schloss et al.

Claim 4 is substantially similar to claim 14 and is therefore rejection using the same art and rationale set forth above.

As per claim 31, Schloss et al. teaches wherein dehydrating the schedule further comprises storing the schedule state to a storage medium (See column 5, lines 25-45, column 9, lines 23-35, wherein information concerning the event is stored), creating a proxy between the stored schedule state and a message (See column 4, lines 40-55, column 9, lines 32-55, wherein there is a link between the state and a message notification), suspending execution of the schedule pending the expected action (See column 2, lines 28-50, column 8, lines 30-46, column 9, lines 1-25, column 13, lines 35-60, wherein the execution of the schedule is postponed based on the criteria not being met), and restoring the schedule and resuming execution of the schedule (See column 8, lines 30-46, column 9, lines 25-35, wherein the postponement allows the schedule events to resume at a later scheduled time). Schloss et al. further discloses that the message prompts completion of an action (See column 4, lines 40-55). However, Schloss et al. does not expressly disclose that the schedule is resumed based on receipt of the message.

Srinivasan teaches restoring the schedule and resuming execution of the schedule based on receipt of the message (See column 2, lines 60-67, column 3, lines 5-18 and 30-32, column 5, lines 19-40, 45-51, and 62-63, column 6, lines 3-17, column 7, lines 1-4, 15-21, and 55-67, and column 8, lines 10-15, wherein the schedule state is stored in a database and the schedule is on hold awaiting the return of the message verifying the status and completion of an action).

Both Srinivasan and Schloss et al. disclose managing a schedule of tasks/actions that impact subsequent and previous tasks/actions, wherein the starting of a subsequent task depends on completion of a previous task. Schloss et al. discloses prompting users with messages to inform the users about actions. It would have been obvious to one of ordinary skill in the art at the time of the invention to wait for a response to the message before resuming the schedule and

actions of the schedule in order to more efficiently account for changes needed in the schedule, as discussed in column 2, lines 5-25, of Schloss et al.

Claim 35 is a computer-readable medium version of the methods of claim 4. Since the disclosure of Schloss et al. is embodied on a computer-readable medium, claim 35 is rejected using the same art and rationale as relied upon in the rejection of claim 4.

6. Claims 6, 16, 24, 26, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schloss et al. (U.S. 5,962,125).

As per claim 16, Schloss et al. discloses resources being associated with actions to be completed in the schedule (See column 10, lines 35-55, which discloses resources associated with actions) and selectively resuming execution of the schedule based on the signal (See column 8, lines 30-46, column 9, lines 25-35, wherein the postponement allows the schedule events to resume at a later scheduled time). However, Schloss et al. does not expressly disclose selectively allocating computer system resources for execution of the schedule based on the signal.

Schloss et al. discloses managing a schedule of tasks/actions that impact subsequent and previous tasks/actions. Schloss et al. discloses resources needed for and allocated to tasks. Computer system resources were a well known and needed type of resource used to complete projects in many industries at the time of the invention. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to consider the resource of computer system resources in the schedule in order to efficiently allow the scheduler to account for all the needs and thresholds in the schedule, as discussed in column 2, lines 5-25, of Schloss et al.

As per claim 24, Schloss et al. teaches wherein the threshold considers resource availability and variability (See column 10, lines 35-55, which discloses resources and thresholds of resources). However, Schloss et al. does not expressly disclose that the resource variable is related to system resource utilization.

Schloss et al. discloses managing a schedule of tasks/actions that impact subsequent and previous tasks/actions. Schloss et al. discloses resources needed for and allocated to tasks. Computer system resources were a well known and needed type of resource used to complete projects in many industries at the time of the invention. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to consider the resource of computer system resources in the schedule in order to efficiently allow the scheduler to account for all the needs and thresholds in the schedule, as discussed in column 2, lines 5-25, of Schloss et al.

Claim 6 is substantially similar to claim 16 and is therefore rejection using the same art and rationale set forth above.

As per claim 26, Schloss et al. teaches selectively storing the schedule state in a storage medium based on the latency comparison (See column 5, lines 25-45, column 9, lines 23-35, wherein information concerning the event is stored). However, Schloss et al. does not expressly disclose that the storage medium includes a database schema.

Schloss et al. discloses a storage medium used to store the scheduling and action data of the system. Schemata were well known data structures used to store data at the time of the invention. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a schema in the storage medium of Schloss et al. in order to increase the efficiency of the system by storing the data in an organized manner.

Claim 37 is a computer-readable medium version of the methods of claim 6. Since the disclosure of Schloss et al. is embodied on a computer-readable medium, claim 37 is rejected using the same art and rationale as relied upon in the rejection of claim 6.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lai et al. (U.S. 5,706,429) discloses a transaction processing system where attributes of the transactions are determined and associated with a protocol.

Davis et al. (U.S. 5,870,545 teaches a workflow management system with process activities that are mapped based on activity specification and compensated based on failed process activities.

Kaufer et al (U.S. 6,519,763) teaches task management software that compares planned delivery against the actual completion.

Clark (U.S. 6,889,196) discloses monitoring tasks and determining relationships between records.

Main et al (U.S. 5,893,905) teaches monitoring jobs, SLA agreements, and computer platforms and alerting an end user when a problem has been detected.

Morrow et al. (U.S. 6,968,360) teaches monitoring project status and updating this status based on phases of the manufacturing process.

Miller (U.S. 6,101,481) discloses managing tasks by assigning task controllers, nesting the tasks, and adjusting the tasks as needed.

Flores (U.S. 5,630,069) discloses trigger actions and monitoring workflow to determine if it normal or exceptional.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beth Van Doren whose telephone number is (571) 272-6737. The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

bvd
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